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the owner against all the world. "General possession," however, was reserved in the owner, and it was provided that the "cropper" (the alien) should have no interest or estate in the land. The owner and the alien brought an action to restrain the defendants from enforcing the provision against them for the reason that the contract does not give the alien any interest in the land. *Held*, that judgment be entered for the plaintiffs. *O'Brien v. Webb*, 279 Fed. 117 (N. D. Cal.).

For a discussion of the principles involved, see NOTE, *supra*, p. 209.

**LIBEL AND SLANDER — DAMAGES — ADMISSIBILITY OF EVIDENCE TO SHOW MENTAL SUFFERING OF MEMBER OF PLAINTIFF'S FAMILY TO ENHANCE DAMAGES.** — The defendant published a statement concerning the plaintiff which was libellous *per se*. Evidence that the publication caused mental distress to the plaintiff's seven-year-old daughter was admitted over the objection of counsel for the defendant. In overruling the objection the trial court made remarks which clearly indicated that its purpose in admitting such evidence was to show distress inflicted on the plaintiff by the distress of her child. *Held*, that the evidence was inadmissible. *Bishop v. New York Times Co.*, 233 N. Y. 446, 135 N. E. 845.

The direct injury suffered from a libel is to reputation, and compensation for injured reputation is therefore the principal item of damages in an action for defamation. But another direct result of a libel is mental suffering on the part of the person defamed, and compensation may be recovered for such suffering. *Lombard v. Lennox*, 155 Mass. 70, 28 N. E. 1125. See *Newman v. Stein*, 75 Mich. 402, 407, 42 N. W. 956, 957. The term "mental suffering" covers a multitude of injuries, many of which must be born as necessary incidents of existence. Admittedly one whose reputation is injured experiences sensations of shame and humiliation. How far into the realm of mental suffering should the courts go in allowing recovery in libel cases? It is true that there is an increasingly liberal tendency towards allowing recovery in cases involving mental suffering. See Archibald H. Throckmorton, "Damages for Fright," 34 HARV. L. R. 260. However, the law has not as yet gone so far as to allow recovery for mental anguish caused by sympathy for the suffering endured by others. *A. T. & S. F. R. Co. v. Chance*, 57 Kan. 40, 45 Pac. 60; *Dennison v. Daily News Pub. Co.*, 82 Neb. 675, 118 N. W. 568. This is a well-defined limitation upon any broad rule allowing recovery for mental suffering and, it is submitted, a proper one. The action of the court in excluding the evidence in the principal case is a recognition of this limitation. *Dennison v. Daily News Pub. Co.*, *supra*; *Sheftall v. Central of Georgia R. R. Co.*, 123 Ga. 589, 51 S. E. 646. *Contra*, *Ott v. Murphy*, 160 Iowa, 730, 141 N. W. 463. *Cf. Cahill v. Murphy*, 94 Cal. 29, 30 Pac. 195.

**LICENSES — LICENSE TO FISH — DESTRUCTION OF LOCATION — STATUTE OF LIMITATIONS.** — A Washington statute allowed exclusive fishing rights to the holder of a yearly license who marked his location in the prescribed manner. (1922 WASH. REM. CODE, § 5679.) The plaintiff held such a license and location. In 1913 the defendant, a public service corporation, destroyed the value of the location by constructing a trestle and booming ground. The plaintiff commenced action in 1919, and the defendant pleaded the Statute of Limitations, which barred actions for injury to personal property and for trespass to real property after three years. (*Ibid.* § 159.) The Statute of Limitations on actions for recovery of real property was ten years. (*Ibid.* § 156.) From judgment for the plaintiff, the defendant appeals. *Held*, that the judgment be reversed. *Irwin v. J. K. Lumber Co.*, 205 Pac. 424. (Wash.).